

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN M. FIFE, CHICAGO VENTURE
PARTNERS, L.P., ILIAD RESEARCH AND
TRADING, L.P., ST. GEORGE
INVESTMENTS LLC, TONAQUINT, INC.,
AND TYPENEX CO-INVESTMENT, LLC,

Defendants.

Civil Action No. 1:20-cv-05227

Honorable Nancy L. Maldonado
Honorable Heather K. McShain

JOINT STATUS REPORT

Pursuant to the Court’s March 16, 2023 and March 21, 2023 Orders (*see* Dkt Nos. 85, 90), Plaintiff United States Securities and Exchange Commission (“SEC”) and Defendants John M. Fife (“Fife”), Chicago Venture Partners, L.P., Iliad Research and Trading, L.P., St. George Investments LLC, Tonaquint, Inc., and Typenex Co-Investment, LLC (collectively, “Defendants,” and, together with the SEC, “the Parties”), respectfully submit this Joint Status Report. The Parties state as follows:

A. Status of Outstanding Fact Discovery

In response to the Court’s March 16, 2023 Order and the March 15, 2023 motion hearing that preceded that Order (*see* Dkt Nos. 83, 85), the SEC reviewed the 393 emails potentially responsive to Defendants’ RFPs 28-30 for emails related to Defendants and/or this case. As a result, the SEC produced 195 pages of documents responsive to RFPs 28-30 on April 4, 2023. Additionally, pursuant to the Court’s March 16 Order, the SEC provided Defendants with an

amended response to Defendants' Interrogatory No. 5 on April 5, 2023. Further, after the Court ordered that a deposition of SEC employee Bonnie Gauch can proceed on the topic of communications made by SEC's Office of Interpretation and Guidance in response to questions stemming from the dealer registration requirements set forth in the SEC's Guide to Broker-Dealer Registration, the Parties have scheduled Gauch's deposition on this topic for May 24, 2023 in Washington, D.C.

Next month, the SEC expects to issue deposition subpoenas for the depositions of certain finder and issuer representatives the SEC asserts are involved in Defendants' convertible debt transactions. Additionally, after the resolution of the SEC's pending motion to compel (*see* Dkt. Nos. 74-78, 86), the SEC expects to notice and/or subpoena the depositions of Fife and certain current or former employees of Defendants.

On April 20, 2023, the Parties' counsel conducted a telephonic meet-and-confer regarding Defendants' beliefs that certain of the SEC's responses to Defendants' written discovery requests are deficient. While the Parties reached an impasse regarding certain issues on which Defendants will move to compel, the Parties are continuing to meet-and-confer in an attempt to resolve other issues and expect to conclude the meet-and-confer process over these issues shortly. Defendants have indicated to the SEC that Defendants plan to move to compel on these outstanding issues if the Parties' efforts to resolve these issues through the meet-and-confer process are unsuccessful.

On April 27, 2023, Defendants served their Third Set of Interrogatories and Third Set of Document Requests upon the SEC. Defendants will soon serve a set of additional Requests for Admission on the SEC. The parties will also schedule Defendants' deposition of SEC Staff Accountant Craig McShane. Defendants had previously noticed the deposition of SEC Staff

Accountant Scott Hlavacek, but the parties had agreed to instead schedule at a later date the deposition of Mr. McShane, who had then recently been assigned to the case. *See* Dkt. No. 72.

In light of the status of fact discovery described above, the Parties may ask the Court to extend the current fact discovery deadline of June 16, 2023. Prior to this date, the Parties will meet and confer to discuss whether an extension request is necessary, and, if so, the Parties will make such a request by motion to the Court.

B. Statement Regarding Settlement Discussions

There have been no recent discussions of a settlement. The Parties do not request a settlement conference at this time.

C. Other Matters

There are no other matters that the Parties wish to bring to the Court's attention at this time.

DATED: April 28, 2023

/s/ Eric M. Phillips

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** Pro hac vice*

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of April, 2023, I electronically filed a copy of the foregoing Joint Status Report through the Court's CM/ECF System, which will send notifications of the filing to all counsel of record.

/s/ Eric M. Phillips